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6 **BEFORE THE**
7 **BOARD OF REGISTERED NURSING**
8 **DEPARTMENT OF CONSUMER AFFAIRS**
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-23

11 **TIFFANY LAUREL BROWNLEE, AKA**
12 **TIFFANY BROWNLEE, AKA TIFFANY**
13 **TERMEER-BROWNLEE**

DEFAULT DECISION AND ORDER

14 **837 Saltmeadow Bay Arch, Apt. 311**
15 **Virginia Beach, VA 23451**

[Gov. Code, §11520]

16 **Registered Nurse License No. 585132**

17 **Nurse Practitioner Certificate No. 12961**

18 **Respondent.**

19 **FINDINGS OF FACT**

20 1. On or about July 10, 2012, Complainant Louise R. Bailey, M.Ed., RN, in her official
21 capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer
22 Affairs, filed Accusation No. 2013-23 against Tiffany Laurel Brownlee, aka Tiffany Brownlee,
23 aka Tiffany Termeer-Brownlee ("Respondent") before the Board of Registered Nursing.

24 2. On or about August 8, 2001, the Board of Registered Nursing ("Board") issued
25 Registered Nurse License Number 585132 and Nurse Practitioner Certificate No. 12961 to
26 Respondent. The Registered Nurse License and Nurse Practitioner Certificate expired on April
27 30, 2005, and have not been renewed.

28 3. On or about July 10, 2012, Respondent was served by Certified and First Class Mail
copies of the Accusation No. 2013-23, Statement to Respondent, Notice of Defense, Request for
Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at

1 Respondent's address of record which, pursuant to California Code of Regulations, title 16,
2 section 1409.1, is required to be reported and maintained with the Board. Respondent's address
3 of record with the Board was and is:

4 **837 Saltmeadow Bay Arch, Apt. 311**
5 **Virginia Beach, VA 23451.**

6 4. On or about July 10, 2012, Respondent was served by Certified and First Class Mail
7 copies of the Accusation No. 2013-23, Statement to Respondent, Notice of Defense, Request for
8 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
9 Respondent's address of record with the Virginia State Board of Nursing which was:

10 **721 Willow Lake Circle #22**
11 **Virginia Beach, VA 23452**

12 5. Service of the Accusation was effective as a matter of law under the provisions of
13 Government Code section 11505, subdivision (c) and/or Business & Professions Code ("Code")
14 section 124.

15 6. The aforementioned documents were not returned by the U.S. Postal Service marked
16 as undeliverable or unclaimed.

17 7. Government Code section 11506 states, in pertinent part:

18 (c) The respondent shall be entitled to a hearing on the merits if the respondent
19 files a notice of defense, and the notice shall be deemed a specific denial of all parts
20 of the accusation not expressly admitted. Failure to file a notice of defense shall
21 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
22 may nevertheless grant a hearing.

23 8. Respondent failed to file a Notice of Defense within 15 days after service upon her of
24 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2013-
25 23.

26 9. California Government Code section 11520 states, in pertinent part:

27 (a) If the respondent either fails to file a notice of defense or to appear at the
28 hearing, the agency may take action based upon the respondent's express admissions
or upon other evidence and affidavits may be used as evidence without any notice to
respondent.

10. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default. The Board will take action without further hearing and, based on the relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as taking official notice of all the investigatory reports, exhibits and statements contained therein on file at the Board's offices regarding the allegations contained in Accusation No. 2013-23, finds that the charges and allegations in Accusation No. 2013-23, are separately and severally, found to be true and correct by clear and convincing evidence.

11. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation and Enforcement is \$485.00 as of July 30, 2012.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Tiffany Laurel Brownlee, aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee, has subjected her Registered Nurse License No. 585132 and Nurse Practitioner Certificate No. 12961 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. Pursuant to Code sections 118, 2764, and 2811, subdivision (b), and California Code of Regulations title 16, section 1419.3, the expiration of Respondent's licenses does not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

4. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License and Nurse Practitioner Certificate based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Evidence Packet in this case.:

5. **Disciplinary Action by the Virginia State Board of Nursing.** Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was disciplined by the Virginia State Board of Nursing ("Virginia Board"). On or about July 20, 2007, pursuant to the Order issued by the Virginia Board, in the disciplinary action entitled, *In re: Tiffany Termeer-*

1 *Brownlee, R.N.*, the Virginia Board issued Respondent a public reprimand and ordered that
2 Respondent complete the National Council of State Boards of Nursing course entitled "Ethics of
3 Nursing Practice." The basis for the Order is that on or about March 9, 2006, while working as a
4 nurse practitioner with Cardiovascular Associates, Ltd., in Chesapeake, Virginia, Respondent
5 prescribed medications for a family member and a personal friend who were not her patients or
6 the patients of her employer.

7 6. **Unprofessional Conduct.** Respondent is subject to disciplinary action under Code
8 section 2761, subdivision (a), in that Respondent committed acts of unprofessional conduct. The
9 conduct is more particularly described in paragraph 5, above, and herein incorporated by
10 reference.

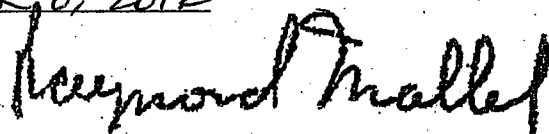
ORDER

IT IS SO ORDERED that Registered Nurse License No. 585132 and Nurse Practitioner Certificate No. 12961, heretofore issued to Respondent Tiffany Laurel Brownlee; aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee, are revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on DECEMBER 7, 2012.

It is so ORDERED November 8, 2012



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

51141041.DOC
DOJ Matter ID:LA2012506993

Exhibit A

Accusation Case No. 2013-23

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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. **2013-23**

11 **TIFFANY LAUREL BROWNLEE, AKA**
12 **TIFFANY BROWNLEE, AKA TIFFANY**
13 **TERMEER-BROWNLEE**

ACCUSATION

14 **837 Saltmeadow Bay Arch, Apt. 311**
Virginia Beach, VA 23451

15 **Registered Nurse License No. 585132**

16 **Nurse Practitioner Certificate No. 12961**

17 Respondent.

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about August 8, 2001, the Board of Registered Nursing issued Registered Nurse
25 License Number 585132 and Nurse Practitioner Certificate No. 12961 to Tiffany Laurel
26 Brownlee, aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee ("Respondent"). The
27 Registered Nurse License and Nurse Practitioner Certificate expired on April 30, 2005, and have
28 not been renewed.

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1 8. Section 2811, subdivision (b) of the Code provides:

2 "Each such license not renewed in accordance with this
3 section shall expire but may within a period of eight years thereafter
4 be reinstated upon payment of the biennial renewal fee and penalty
5 fee required by this chapter and upon submission of such proof of
6 the applicant's qualifications as may be required by the board,
7 except that during such eight-year period no examination shall be
8 required as a condition for the reinstatement of any such expired
9 license which has lapsed solely by reason of nonpayment of the
renewal fee. After the expiration of such eight-year period the board
may require as a condition of reinstatement that the applicant pass
such examination as it deems necessary to determine his present
fitness to resume the practice of professional nursing."

10 **REGULATORY PROVISIONS**

11 9. California Code of Regulations, title 16, section, 1419.3 provides:

12 "In the event a licensee does not renew his/her license as provided
13 in Section 2811 of the code, the license expires. A licensee
14 renewing pursuant to this section shall furnish a full set of
fingerprints as required by and set out in section 1419(b) as a
condition of renewal.

15 (a) A licensee may renew a license that has not been expired for
16 more than eight years by paying the renewal and penalty fees as
17 specified in Section 1417 and providing evidence of 30 hours of
continuing education taken within the prior two-year period.

18 (b) A licensee may renew a license that has been expired for more
19 than eight years by paying the renewal and penalty fees specified in
20 Section 1417 and providing evidence that he or she holds a current
21 valid active and clear registered nurse license in another state, a
United States territory, or Canada, or by passing the Board's current
examination for licensure."

22 **COST RECOVERY**

23 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licentiate found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case.

27 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Virginia State Board of Nursing)**

3 11. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was
5 disciplined by the Virginia State Board of Nursing ("Virginia Board").

6 12. On or about July 20, 2007, pursuant to the Order issued by the Virginia Board, in
7 the disciplinary action entitled, *In re: Tiffany Termeer-Brownlee, R.N.*, the Virginia Board issued
8 Respondent a public reprimand and ordered that Respondent complete the National Council of
9 State Boards of Nursing course entitled "Ethics of Nursing Practice." The basis for the Order is as
10 follows:

11 a. On or about March 9, 2006, while working as a nurse practitioner with
12 Cardiovascular Associates, Ltd., in Chesapeake, Virginia, Respondent prescribed medications for
13 a family member and a personal friend who were not her patients or the patients of her employer.

14 **SECOND CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct)**

16 13. Respondent is subject to disciplinary action under Code section 2761, subdivision
17 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more
18 particularly described in paragraph 12, subparagraph (a), inclusive, above, and herein
19 incorporated by reference.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 585132, issued to Tiffany Laurel Brownlee, aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee;
2. Revoking or suspending Nurse Practitioner Certificate No. 12961, issued to Tiffany Laurel Brownlee, aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee;
3. Ordering Tiffany Laurel Brownlee, aka Tiffany Brownlee, aka Tiffany Termeer-Brownlee to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
4. Taking such other and further action as deemed necessary and proper.

DATED:

July 10, 2012

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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